



Design Review Board
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*****DESIGN REVIEW BOARD (DRB)*****

MEETING NOTICE AND AGENDA

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the **Design Review Board (DRB)** and to the general public that the Board will hold the following meeting which will be open to the public on:

Friday, October 4, 2019, 7:30 AM
Public Works Building, Third Floor Conference Room
201 North Stone Avenue, Tucson, Arizona 85726

For wheelchair accommodations, materials in accessible formats, and/or materials in a language other than English, please contact María Gayosso at (520) 837-6972, maria.gayosso@tucsonaz.gov , or (520) 791-2639 for TDD, no later than Monday, September 30, 2019.

Para solicitar acomodamiento de sillas de ruedas, materiales es formatos accesibles, y/o materiales en español, por favor comuníquese con María Gayosso al (520) 837-6972, maria.gayosso@tucsonaz.gov , a más tardar el Lunes 30 de Septiembre de 2019.

AGENDA

- 1. Call to Order / Roll Call**
Mike Anglin (Chair)
Savannah McDonald (Vice Chair)
Caryl Clement
Nathan Kappler
Shawn Protz
Chris Stebe
- 2. Review and Approval of the 9/20/2019 Legal Action Report** **Action**
- 3. Call to the Audience**
- 4. Continued Case # DRB-RNA-19-12, Façade Modification, 20 East Ochoa Street** **Action**
C-3 Zoning (T19SA00374)
Associated Construction Document # T19CM05843

This case was continued by the DRB on September 20, 2019. The DRB asked applicant to return to the DRB with: 1) Revised Shade Study demonstrating compliance with UDC Section 5.12.7.D.4.b; 2) Revised Site plan that includes the footprint of the proposed shade structures or any other component that will provide the required shade on the sidewalk.

The Applicant's Request:

The applicant is proposing to modify the storefronts of the existing barber shop and office, by replacing the aluminum and glass assemblies with steel and glass inset, that include a shade canopy over each set of doors and windows. The site is located within the boundaries of the Armory Park Historic District, and the building with the proposed façade modifications is designated as non-contributing. The adjacent buildings to the west and north are designated contributing structures.

The complete application can be viewed online:

www.tucsonaz.gov/pro/pdsd/permitdetail/T19SA00374/117130410

The DRB's Purview:

In accordance with UDC Section 2.2.6.C.14 and 5.12.7.F.3, the DRB reviews and forwards a recommendation all requests in the Rio Nuevo Area (RNA) to the Planning & Development Services (PDSD) Director, as provided in UDC Sections 5.12.2.C.1 and 5.12.4.D. In formulating its recommendation, the DRB shall apply the design standards in UDC Section 5.12.7.C.

Motion: THE DESIGN REVIEW BOARD (DRB) HAS REVIEWED THE APPLICANT'S PROJECT FOR COMPLIANCE WITH RIO NUEVO AREA DESIGN CRITERIA AND RECOMMENDS TO THE PLANNING & DEVELOPMENT SERVICES DIRECTOR (APPROVAL) (DENIAL), FINDING THE PROJECT (IN COMPLIANCE) (NOT IN COMPLIANCE) WITH THE BUILDING DESIGN STANDARDS SET FORTH IN UDC SECTION 5.12.7.C 1-15 AND 5.12.7.D (SEE ATTACHMENT A) (SUBJECT TO THE FOLLOWING CONDITIONS).

5. **Case # DRB-19-13, El Sur Restaurant, 5602 & 5610 East 22nd Street, C-1 Zoning**
Associated Board of Adjustment Case # C10-19-17 (T19SA00393)
Associated Development Package # DP18-0037
Associated Code Violation # T17DV01396

The Applicant's Request:

The applicant's property is an approximately 15,357 square foot site zoned C-1, developed with a restaurant building and a second building used for storage and office. The applicant is proposing to expand the existing restaurant use to include a 572 square-foot patio and a portion of the second building. The remaining space of the second building is proposed for office use.

The applicant is requesting the DRB to recommended approval to the Board of Adjustment (B/A) their request for the following variances to the required landscaping and screening standards specified in the Unified Development Code (UDC) section 7.6:

- a) Delete the requirement to provide 8 canopy trees throughout the vehicle use areas;
- b) Delete the required 10' wide street landscape border along the 22nd Street frontage;
- c) Delete the required 10' wide street landscape border along Jefferson Avenue;
- d) Delete the required 30" screen between the vehicle use area and Jefferson Avenue;
- e) Allow the existing 4' tall concrete masonry unit (CMU) wall to remain as constructed in lieu of providing the required 5' tall wall along the south property line;
- f) Allow the right-of-way to be used for maneuvering directly into or from the parking spaces located on the north side of the development;

- g) Delete the required sidewalk between Building 'C' and the two parking spaces at the northeast corner of the development; and
- h) Delete the required sidewalk along the 22nd Street frontage, all as shown on the submitted plans.

In addition to the landscape and screening variances, the applicant will also request from the Board of Adjustment variances to reduce, modify, or delete the requirements for motor vehicle parking and pedestrian access. The complete application can be viewed online:

www.tucsonaz.gov/pro/pdsd/permitdetail/T19SA00393/13110008A

The DRB's Purview:

In accordance with UDC Sections 2.2.6.B.6, 2.2.6.C.5, 3.10.3, and 7.6.9.D, the DRB reviews and forwards a recommendation to the B/A all requests for variances from *UDC Section 7.6, Landscaping and Screening Standards*. In addition, the DRB may make any recommendation that would assist in mitigating any negative impacts, which might occur should the request be granted. The DRB may make a recommendation before the closure of this meeting or continue it to a specific date, time, and place provided the continuance is not for more than 120 days. In formulating its recommendation, the DRB shall apply the findings of approval of UDC Section 3.10.3.K.

Motion: THE DESIGN REVIEW BOARD (DRB) HAS REVIEWED THE PROPOSED STREET LANDSCAPE BUFFER-YARD/SCREENING MODIFICATIONS, REDUCTIONS, AND DELETIONS AND RECOMMENDS TO THE BOARD OF ADJUSTMENT (APPROVAL) (DENIAL), FINDING THE PROJECT (IN COMPLIANCE) (NOT IN COMPLIANCE) WITH THE CRITERIA ESTABLISHED IN UDC SECTION 3.10.3.K (SEE ATTACHMENT B) (SUBJECT TO THE FOLLOWING CONDITIONS).

6. Staff Announcements

Informational

- a) 2020 DRB Meeting Dates
- b) Upcoming cases

7. Adjournment

ATTACHMENT A:
RIO NUEVO AREA (RNA) DESIGN CRITERIA

In accordance with UDC Section 2.2.6.C.14 and 5.12.7.F.3, the DRB reviews and forwards a recommendation all requests in the Rio Nuevo Area (RNA) to the Planning & Development Services (PDSD) Director, as provided in UDC Sections 5.12.2.C.1 and 5.12.4.D. In formulating its recommendation, the DRB shall apply the design standards in UDC Section 5.12.7.C and UDC Section 5.1.7.D.

UDC Section 5.12.7.C Rio Nuevo Area - Building Design Standards

Development within the RNA is required to comply with the following building design standards:

1. The proposed buildings shall respect the scale of those buildings located in the development zone and serve as an orderly transition to a different scale pursuant to Section 5.12.8.B, *Development Transition Standards*. Building heights with a vastly different scale than those on adjacent properties should have a transition in scale to reduce and mitigate potential impacts. In areas undergoing change, long range plans should be consulted for guidance as to appropriate heights;
2. All new construction must be consistent with the prevailing setback existing within its development zone except that the PDSD Director may approve a different setback than the prevailing setback upon a written finding during the review process that a different setback is warranted by site conditions or applicable development design goals consistent with Section 5.12.1, *Purpose*, and the proposed setback will not be incompatible with adjacent properties, as defined in Section 11.4.2.A;
3. All new construction shall provide scale defining architectural elements or details at the first two floor levels, such as windows, spandrels, awnings, porticos, cornices, pilasters, columns, and balconies;
4. Every commercial building frontage shall provide windows, window displays, or visible activity within and adjacent to the building at the ground floor level, with a minimum of 50 percent of the building frontage providing such features;
5. A single plane of a façade at the street level may not be longer than 50 feet without architectural relief or articulation by features such as windows, trellises, and arcades;
6. Building façade design shall include pedestrian-scaled, down-shielded, and glare controlled exterior building and window lighting;
7. The front doors of all commercial and government buildings shall be visible from the street and visually highlighted by graphics, lighting, marquees, or canopies;
8. Modifications to the exterior of historic buildings shall complement the overall historic context of the Downtown and respect the architectural integrity of the historic façade;
9. Buildings shall be designed to shield adjacent buildings and public rights-of-way from reflected heat and glare;
10. Safe and adequate vehicular parking areas designed to minimize conflicts with pedestrians and bicycles shall be provided;
11. Adequate shade shall be provided for sidewalks and pedestrian pathways, using shade structure or vegetation, where permitted by the City ;
12. Colors may conform to the overall color palette and context of the Downtown area or may be used expressively to create visual interest, variety, and street rhythms. The rationale for an expressive or idiosyncratic use of color shall be described in the site plan submittal;
13. New buildings shall use materials, patterns, and elements that relate to the traditional context of the Downtown area;
14. Twenty-four-hour, street-level activity is encouraged by providing a mixture of retail, office, and residential uses within each building; and,

ATTACHMENT A:
RIO NUEVO AREA (RNA) DESIGN CRITERIA (Continued)

15. Primary public entries shall be directly accessed from a sidewalk along a street rather than from a parking lot. Public access to commercial and governmental buildings shall be provided at sidewalk grade. The primary floor of, and access to, residential structures may be elevated. Secondary access may be provided from off-street parking areas.

UDC Section 5.12.7.D Rio Nuevo Area – Site Design Standards

Development within the RNA is required to comply with the following site design standards:

1. Vehicular Circulation

- a. All parking area access lanes (PAALs) adjacent to buildings shall have pedestrian circulation paths between the PAAL and the building, with a minimum width of six feet.
- b. The locations of all points of vehicular ingress and egress shall be perpendicular to the intersecting street. Points of ingress and egress points shall be designed to minimize vehicular/pedestrian and vehicular/bicycle conflicts. Adequate storage for vehicular queuing at parking facilities shall be contained on site. Right turn bays are strongly discouraged. Points of ingress and egress shall be minimized wherever possible. Additional temporary ingress and egress locations may be permitted for parking structures when occasional high peak period traffic flows (i.e., parking facilities for event venues) are anticipated.

2. Parking

- a. General Parking standards are listed in Section 7.4. Some properties in the RNA may also be located in the Downtown Parking District, which allows a reduction in the number of parking spaces as provided in Section 7.4.5.B.
- b. Screening of Parking All new parking shall be designed so that vehicles are not visible from the adjoining street level, through incorporation of pedestrian arcades, occupied space, or display space.
- c. Employee Parking Employee parking for all uses should be provided at remote locations in order to maximize the availability of space for development.

3. Plazas and Open Space

The fundamental objective of the design standards in this Section 5.12.7.D.3 is to encourage public and private investments to enhance the character and function of Downtown's pedestrian environment.

a. Plazas and Pedestrian Nodes

Five percent of the gross floor area of new construction shall be provided in public plazas or courtyards. Open space plazas, courtyards, and patios are landscaped outdoor areas designed to accommodate multiple uses, from large gatherings of the people for performing arts to smaller gatherings. The plazas and courtyards will be one of the ways that spaces and uses can be linked. The requirement of this section may be waived or reduced by the PDSD Director upon a written finding during the review process that the development enhances the downtown pedestrian environment even with a smaller percent or elimination of the requirement.

ATTACHMENT A:
RIO NUEVO AREA (RNA) DESIGN CRITERIA (Continued)

b. **Viewshed Corridors**

Views of all historic properties and all natural elements surrounding the Downtown should be considered during design. Plazas, courtyards, and open spaces shall be sited to include views to other public spaces, where feasible.

c. **Linkages (Physical and Visual)**

Neighborhood linkages shall be maintained throughout Downtown.

4. **Streetscape**

a. Streetscapes must be consistent with the Streetscape Design Policy. In streetscape design, priority is given to pedestrians.

b. **Shade**

Shade shall be provided for at least 50 percent of all sidewalks and pedestrian pathways as measured at 2:00 p.m. on June 21 when the sun is 82° above the horizon (based on 32°N Latitude). Shade may be provided by arcades, canopies, or shade structures, provided they and their location and design characteristics are compatible with the prevailing and design context of the street and the architectural integrity of the building. Deciduous trees, as proposed in the Downtown Comprehensive Street Tree Plan, are encouraged to supplement existing evergreen trees. The use of plantings and shade structures in the City right-of-way are permitted to meet this standard with the approval of the Department of Transportation. The shade provided by a building may serve to meet this standard.

ATTACHMENT B:
VARIANCE FOR LANDSCAPE & SCREENING SUBSTITUTIONS

In accordance with UDC Sections 2.2.6.B.6, 2.2.6.C.5, 3.10.3, and 7.6.9.D, the DRB reviews and forwards a recommendation to the Board of Adjustment (B/A), all requests for variances from *UDC Section 7.6, Landscaping and Screening Standards*. In addition, the DRB may make any recommendation that would assist in mitigating any negative impacts, which might occur should the request be granted. The DRB may make a recommendation before the closure of this meeting or continue it to a specific date, time, and place provided the continuance is not for more than 120 days. The DRB shall apply the same findings of approval required of the B/A when making its recommendation.

UDC Section 3.10.3.K Findings for Approval

The B/A may approve a variance only if it finds:

1. That, because there are special circumstances applicable to the property, strict enforcement of the UDC will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district;
2. That such special circumstances were not self-imposed or created by the owner or one in possession of the property;
3. That the variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located;
4. That, because of special circumstances applicable to the property, including its size, shape, topography, location, and surroundings, the property cannot reasonably be developed in conformity with the provisions of the UDC;
5. That the granting of the variance shall not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;
6. That the proposed variance shall not impair an adequate supply of light and air to adjacent property, substantially increase congestion, or substantially diminish or impair property values within the neighborhood; and,
7. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the UDC provisions that are in question.